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Letter dated 19 December 2016 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, containing an account of the Committee's activities from 1 January to 31 December 2016. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Gerard **van Bohemen**
Chair
Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities

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Report of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities

I. Introduction

1. The present report of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant, or ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities covers the period from 1 January to 31 December 2016.

2. The Bureau of the Committee consisted of Gerard van Bohemen (New Zealand) as Chair and the representatives of the Russian Federation and Uruguay as Vice-Chairs.

II. Background

3. By its resolution 1267 (1999), the Security Council imposed limited air and financial embargoes to compel the Taliban to cease providing sanctuary and training to terrorists, including Usama bin Laden. The regime was modified in resolutions 1333 (2000) and 1390 (2002) to impose three targeted measures (an asset freeze, a travel ban and an arms embargo) against individuals and entities associated with the Taliban and Al-Qaida. Exemptions to the asset freeze and the travel ban are available. On 17 June 2011, the Council unanimously adopted resolutions 1988 (2011) and 1989 (2011), by which it split the regime in two, establishing one committee for Al-Qaida and the other for the Taliban (the Security Council Committee established pursuant to resolution 1988 (2011)). The sanctions measures against Al-Qaida and associated individuals, groups, undertakings and entities were imposed in resolution 1989 (2011) and renewed in resolutions 2083 (2012), 2161 (2014) and 2253 (2015).

4. By its resolution 2253 (2015), adopted on 17 December 2015, the Security Council expanded the listing criteria to include individuals, groups, undertakings and entities supporting ISIL (Da'esh) and directed the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004) to submit reports on the global threat posed by ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities to the Committee. In the same resolution, the Council extended the mandates of the Office of the Ombudsperson and the Monitoring Team until 17 December 2019.

5. Both the above-mentioned committees are supported by the Monitoring Team. The Team consisted initially of 8 experts, and the number was increased to 10 experts in resolution 2253 (2015).

6. Further background information on the ISIL (Da'esh) and Al-Qaida sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

7. The Committee met 10 times in informal consultations, on 27 January, 22 February, 29 March, 20 April, 1 and 17 June, 8 August, 21 October, 11 November and 9 December, in addition to conducting its work through written procedures.

8. The Committee also met once in joint informal consultations with the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, on 3 June, once with the Security Council Committee established pursuant to resolution 1988 (2011), on 22 November, and three times with the Counter-Terrorism Committee, on 1 February, 14 April and 12 and 13 December.

9. During the informal consultations held on 27 January, the Committee heard a presentation by the Ombudsperson introducing her approach to analysis, assessment and use of information.

10. During the joint informal consultations with the Counter-Terrorism Committee Executive Directorate held on 1 February and convened in accordance with the statement by the President of the Security Council of 29 May 2015 (S/PRST/2015/11), the Committee heard a joint presentation by the Monitoring Team and the Counter-Terrorism Executive Directorate on the global threat of foreign terrorist fighters and the impact of resolution 2178 (2014).

11. During the informal consultations held on 22 February, the Committee heard a briefing by the Monitoring Team on ISIL (Da'esh) and Libya, and the recommendations of the Team pursuant to paragraph 95 of resolution 2253 (2015).

12. During the informal consultations held on 29 March, the Committee heard a briefing by the Monitoring Team pursuant to paragraph 96 of resolution 2253 (2015) on the Team's analysis of the global implementation of resolutions 2199 (2015) and 2178 (2014). The Team also presented several trip reports.

13. During the joint informal consultations with the Counter-Terrorism Committee on 14 April, the committees received briefings from the Financial Action Task Force, the Monitoring Team and representatives of financial intelligence units from various Member States. In addition, on 12 and 13 December, both committees held a joint meeting entitled "Depriving terrorist groups from accessing, raising and moving funds: practices and lessons learned".

14. During the informal consultations held on 20 April, the Committee heard a briefing by the Ombudsperson on her findings regarding a delisting request, and the Monitoring Team presented several trip reports, pursuant to paragraph 96 of resolution 2253 (2015), on its analysis of the global implementation of resolutions 2199 (2015) and 2178 (2014).

15. On 4 May, the Chair briefed the Security Council on the general work of the Committee alongside the Chairs of the Security Council Counter-Terrorism Committee and the Security Council Committee established pursuant to resolution 1540 (2004) (see S/PV.7686).

16. During the informal consultations held on 1 June, the Committee received a briefing by the International Criminal Police Organization (INTERPOL) on its

activities relating to sanctions implementation and foreign terrorist fighters. The Monitoring Team also presented several trip reports.

17. During the joint informal consultations with the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya held on 3 June and convened in follow-up to recommendation 24 of the final report of the Panel of Experts on Libya (S/2016/209), the Committee heard briefings by the Monitoring Team and by the Panel.

18. During the informal consultations held on 17 June, the Committee heard a briefing by the Ombudsperson on her findings regarding a delisting request, and the Monitoring Team presented several trip reports. The Committee also received an update from the Secretariat pursuant to paragraph 59 of resolution 2253 (2015) on possible arrangements to ensure the continued ability of the Office of the Ombudsperson to carry out its mandate in an independent, effective and timely manner. On 4 November, the Chair informed the Secretariat that the Committee was unable to agree to take any action on the matter and recalled that the Secretariat might be able to explore certain informal arrangements to address some of the concerns regarding the Office of the Ombudsperson.

19. During the informal consultations held on 8 August, the Committee received a number of update briefings by the Monitoring Team, including one on the impact assessment pursuant to paragraph 96 of resolution 2253 (2015) on the Team's analysis of the global implementation of resolutions 2199 (2015) and 2178 (2014), the Team's eighteenth report and recommendations pursuant to annex 1 (a) to resolution 2253 (2015) and on advance passenger information relating to travel bans written for airline security specialists of Member States. During these consultations, the Committee also heard a briefing by the Ombudsperson on her findings regarding a delisting request.

20. During the informal consultations held on 21 October, the Committee heard a briefing by the Monitoring Team pursuant to paragraph 96 of resolution 2253 (2015). The Team also presented several trip reports. In addition, the Committee received an update briefing by the Chair on the annual review of the sanctions list for 2015, pursuant to resolution 2161 (2014).

21. During the informal consultations held on 11 November, the Monitoring Team presented several trip reports to the Committee.

22. From 11 to 13 November, the Chair of the Committee visited Afghanistan, pursuant to paragraph 86 of resolution 2253 (2015) and paragraph 55 of resolution 2255 (2015), for meetings with government officials. The Chair also convened a meeting of the informal joint working group on the sanctions regime under resolution 1988 (2011) in Kabul on 13 November.

23. On 22 November, the Committee held joint informal consultations with the Security Council Committee established pursuant to resolution 1988 (2011), in which the Chair provided a briefing on his recent visit to Kabul. A joint press release regarding the visit was issued on 29 November.

24. During the informal consultations held on 9 December, the Committee considered its review of names on the sanctions list pursuant to paragraphs 66 and 67 of resolution 2161 (2014), the annual review of the sanctions list for 2015.

25. On 29 March and 22 November, pursuant to paragraph 87 of resolution 2253 (2015), the Chair held open briefings for interested Member States with a view to raising awareness of the regime, enhancing transparency and improving the dialogue between the Committee and the broader United Nations membership. The Coordinator of the Monitoring Team and the Ombudsperson also briefed the membership on the above-mentioned dates.

26. On 23 December, the Committee revised and adopted its guidelines for the conduct of its work.

27. The Committee provided additional guidance to all Member States by issuing six notes verbales, sent on 29 January (two), 31 March, 18 April, 12 May and 8 November, on, respectively, the 2015 annual review of names on the sanctions list, the content of resolution 2253 (2015), the Monitoring Team's recommendations on measures that can be taken to strengthen the monitoring of global implementation of resolutions 2199 (2015) and 2178 (2014), and I-Checkit and other new tools developed by INTERPOL.

28. The Committee sent 208 communications to 87 Member States, 13 communications to the Ombudsperson and 4 communications to the focal point for delisting.

IV. Exemptions

29. Exemptions to the asset freeze are contained in paragraphs 1 and 2 of resolution 1452 (2002), as amended in resolution 1735 (2006), and in paragraph 75 of resolution 2253 (2015).

30. Exemptions to the travel ban are contained in paragraphs 2 (b) and 10 of resolution 2253 (2015) and in section 12 of the Committee's guidelines for the conduct of its work.

31. Pursuant to paragraphs 10 and 76 of resolution 2253 (2015), the focal point mechanism established in resolution 1730 (2006) may also receive requests for exemption from the asset freeze and the travel ban, submitted by or on behalf of an individual, group, undertaking or entity on the sanctions list, or by the legal representative or estate of such an individual, group, undertaking or entity, for the Committee's consideration.

32. The Committee received and approved two requests for exemption from the asset freeze, determined to be necessary for basic expenses pursuant to paragraph 75 (a) of resolution 2253 (2015). The Committee received two requests for exemption from the asset freeze for funds, determined to be necessary for extraordinary expenses pursuant to paragraph 75 (b) of resolution 2253 (2015), and a request for exemption from the asset freeze through the focal point mechanism pursuant to paragraph 76 of resolution 2253 (2015), which was not approved. The Committee also received two requests for exemption from the travel ban pursuant to paragraph 2 (b) of resolution 2253 (2015), including one through the focal point mechanism, which were not approved.

V. Sanctions list

33. The criteria for the designation of individuals and entities as subject to the travel ban, asset freeze and arms embargo are set out in paragraphs 3 to 5 of resolution 2253 (2015). The procedures for requesting listing and delisting are described in the guidelines of the Committee for the conduct of its work and standard forms for listing and delisting are available on the Committee's website.

34. Both the Committee and the Ombudsperson can receive delisting requests. During the reporting period, 20 individuals and one entity were listed. Six individuals were delisted, of whom three were delisted following the submission of a petition through the Office of the Ombudsperson. In addition, one entity was delisted. The Committee approved amendments to the existing entries of 23 individuals and one entity on its sanctions list.

35. As at the end of the reporting period, there were 256 individuals and 75 entities on the sanctions list of the Committee.

VI. Monitoring Team

36. The Monitoring Team comprises 10 experts with broad government experience in international counter-terrorism issues.

37. On 11 March and 2 August, in accordance with paragraph (e) of annex I to resolution 2253 (2015), the Monitoring Team submitted to the Committee, for its information, two biannual programmes of work.

38. On 22 February, the Monitoring Team provided its recommendations pursuant to paragraph 95 of resolution 2253 (2015) to the Committee, which were transmitted to the Security Council on 5 April and issued as a document of the Council (S/2016/210). The Team also provided the Committee with a report on the challenges faced by business entities in implementing resolution 2199 (2015), which was transmitted to the Council on 4 April and issued as a document of the Council (S/2016/213).

39. On 18 August, in accordance with paragraph (a) of annex 1 to resolution 2253 (2015), the Monitoring Team provided its eighteenth report to the Committee, which was transmitted to the Security Council on 19 July and issued as a document of the Council (S/2016/629).

40. In January, April and August, the Monitoring Team contributed the threat assessment to the reports of the Secretary-General submitted pursuant to paragraph 97 of resolution 2253 (2015) (S/2016/92, S/2016/501 and S/2016/830). In July, the Team contributed to and compiled the draft of the report of the Secretary-General submitted pursuant to paragraph 12 of resolution 2292 (2016) (S/2016/627).

41. During the informal consultations held on 29 March, 20 April, 8 August and 21 October, pursuant to paragraph 96 of resolution 2253 (2015), the Monitoring Team briefed the Committee on its analysis of the global implementation of resolutions 2199 (2015) and 2178 (2014), including gathered information and analysis relevant to potential sanctions designations by Member States or Committee action that could be taken.

42. During the briefings pursuant to paragraph 96 of resolution 2253 (2015), the Monitoring Team also briefed the Committee on its trips to Member States, as it also did on 1 and 17 June and 11 November.

43. During the informal consultations held on 22 February, the Monitoring Team provided a briefing to the Committee on ISIL (Da'esh) and Libya, together with the Team's recommendations pursuant to paragraph 95 of resolution 2253 (2015).

44. During the informal consultations held on 9 December, the Monitoring Team presented to the Committee its findings contained in the annual review for 2015 of the ISIL (Da'esh) and Al-Qaida sanctions list, pursuant to resolution 2161 (2014).

45. The Monitoring Team conducted country visits to more than 20 Member States and participated in more than 60 regional and international conferences. The Team also organized four regional forums for security and intelligence services, in Austria, Senegal, the Sudan and Thailand.

46. The Monitoring Team attended the eighty-fifth session of the INTERPOL General Assembly, held in Indonesia, and the fifth Moscow Conference on International Security and the fifteenth Meeting of Heads of Special Services, Security Agencies and Law-Enforcement Organizations, held in the Russian Federation. The Team also participated in the International Civil Aviation Organization symposium on the Traveller Identification Programme and the meeting of the Facilitation Panel, held in Canada, and participated in workshops on advance passenger information organized by the United Nations Counter-Terrorism Centre and held in Jordan and Vienna. The Team also participated in the International Air Transport Association Aviation Security Forum, held in Malaysia.

47. In December, the Monitoring Team held meetings with the incoming Chair of the Committee and incoming members of the Security Council in order to raise awareness of the Team's mandate and work.

48. In pursuance of its mandate, the Monitoring Team sent 575 letters to Member States, regional and international organizations, national entities and the Committee, through the Secretariat.

VII. Ombudsperson

49. The Office of the Ombudsperson submitted six comprehensive reports to the Committee and presented four reports orally to the Committee. The Committee took a decision in five cases, resulting in the delisting of three individuals and the retention of two individuals on the sanctions list. Two cases are in the decision phase before the Committee and are expected to be decided early in 2017. The Ombudsperson travelled to Algeria, Germany and Kuwait to interview five petitioners. Two petitioners answered questions remotely.

50. The Ombudsperson submitted periodic reports to the Security Council on 1 February (S/2016/96) and 1 August (S/2016/671).

VIII. Secretariat administrative and substantive support

51. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

52. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States notifying them of upcoming vacancies on the Monitoring Team and providing information on recruitment timelines, areas of expertise and pertinent requirements.

53. The Division continued to provide support to the Monitoring Team, conducting an induction for newly appointed members and providing technical assistance in the preparation of the Team's report on recommendations pursuant to paragraph 95 of Security Council resolution 2253 (2015) (S/2016/210) and on challenges that business entities face in implementing Security Council resolution 2199 (2015) (S/2016/213) in March and during the preparation of the Team's eighteenth (S/2016/629) and nineteenth reports (to be published in early 2017) in July and December. The Team also participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat.

54. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.

55. The Secretariat took initial steps to implement paragraph 90 of resolution 2253 (2015), in which the Security Council requested additional administrative and analytical support resources for the Monitoring Team and the Secretariat to support the resulting increased activities of the ISIL (Da'esh) and Al-Qaida sanctions regimes.

56. On 17 June, the Committee received an update from the Secretariat pursuant to paragraph 59 of resolution 2253 (2015) on possible arrangements to ensure the continued ability of the Office of the Ombudsperson to carry out its mandate in an independent, effective and timely manner.